

EXHIBIT A

do Amaral, Paulina

From: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>
Sent: Monday, June 28, 2021 2:03 PM
To: Sharon Desh; do Amaral, Paulina
Cc: External User - Tina Tabacchi; External User - Paula Quist; 'Elsner, Mike (melsner@motleyrice.com)'; External User - Paula Quist; External User - Tara Fumerton; External User - Steven Herman; External User - Elisa McEnroe; External User - Greg Shinall; External User - Trevor Sheetz; External User - Ronda Harvey; External User - Ashley Hardesty Odell; 'Peter H. Weinberger (pweinberger@spanglaw.com)'; 'Elsner, Mike (melsner@motleyrice.com)'; 'Chris Mansour'; 'Erin Dickinson <ekd@cruegerdickinson.com> (ekd@cruegerdickinson.com)'; 'Jo Anna Pollock (jpollock@simmonsfirm.com)'; 'Ellyn Hurd (ehurd@simmonsfirm.com)'; 'Laura S. Dunning (ldunning@levinlaw.com)'; 'Peter H. Weinberger (pweinberger@spanglaw.com)'; External User - Tara Fumerton; 'Lisa Saltzburg'
Subject: [EXTERNAL] Re: Other Bellwether CMOs

The Judge will receive position papers on the question of how the parties should order discovery and briefing in the remaining four bellwethers. Due date for these position papers will be noon this Friday 7/2.

FWIW, the Judge did review your earlier emails on this topic (back when you were working on a single combined CMO) and did direct me to instruct as I did that Texas would be Track 8. But he will receive more fulsome arguments. The parties should limit their submissions to 5 pages or less (one submission each from Ps and Ds), and should come to agreement as much as possible.

-d

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This email sent from:
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From: Sharon Desh <Sharon.desh@bartlitbeck.com>
Sent: Monday, June 28, 2021 9:38 AM
To: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>; do Amaral, Paulina <Pdoamaral@lchb.com>
Cc: External User - Tina Tabacchi <tmtabacchi@jonesday.com>; External User - Paula Quist <pquist@jonesday.com>; 'Elsner, Mike (melsner@motleyrice.com)' <melsner@motleyrice.com>; External User - Paula Quist <pquist@jonesday.com>; External User - Tara Fumerton <tfumerton@JonesDay.com>; External User - Steven Herman <SHerman@zuckerman.com>; External User - Elisa McEnroe <elisa.mcenroe@morganlewis.com>; External User - Greg Shinall <shinall@sperling-law.com>; External User - Trevor Sheetz <tscheetz@sperling-law.com>; External User - Ronda Harvey <rharvey@bowlesrice.com>; External User - Ashley Hardesty Odell <ahardestyodell@bowlesrice.com>; 'Peter H. Weinberger (pweinberger@spanglaw.com)' <pweinberger@spanglaw.com>; 'Elsner, Mike (melsner@motleyrice.com)' <melsner@motleyrice.com>; 'Chris Mansour' <cmansour@baronbudd.com>; 'Erin Dickinson

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Subject: Re: Other Bellwether CMOs

Special Master Cohen,

As expressed on the parties' teleconference, Defendants do not agree that the Texas case should proceed as "Track 8." Defendants ask that you formalize your ruling with respect to the Texas case and provide an explanation of the reasoning, so we can consider an objection. If Judge Polster intends to issue an order directly, we ask that we be permitted to brief the issue.

Thank you,

Sharon

BartlitBeck LLP

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This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: "David R. Cohen (David@SpecialMaster.Law)" <david@specialmaster.law>

Date: Sunday, June 27, 2021 at 9:14 AM

To: "do Amaral, Paulina" <Pdoamaral@lchb.com>

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Subject: Other Bellwether CMOs

Dear Counsel:

Now that the Track 7 CMO is in place, please turn your attention to submission of proposed CMOs for the other four new bellwether cases. Obviously, the Track 7 CMO should be a template as much as possible. I understand, however, there will have to be changes to accommodate case-specific issues, including the presence of various 'new' defendants and non-Ohio law.

With regard to the parties' disagreement over the order in which the remaining bellwether cases should be teed up, Judge Polster has directed that the Texas case should be made ripe for remand asap, with the three other cases to follow as defendants choose.

I expect there may be some disagreement over the final provisions in a T8 Texas CMO, but please come to as much agreement as possible and then submit your competing versions to me. Please make this submission on or before July 9.

I expect the other 3 bellwether CMOs will follow the full pattern of the Texas CMO pretty closely. You should submit those proposals closely on the heels of the Texas CMO, or even at the same time, if possible.

Please strive to make these cases proceed in parallel, rather than seriatim, but also take into account everyone's bandwidth.

Thanks.

-David

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